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Application No. 04 811 021.7 - 2103	Ref. HMC/P85811EP00	Date 15.04.2009
Applicant Abbott Cardiovascular Systems Inc.		

Communication pursuant to Article 94(3) EPC

The examination of the above-identified application has revealed that it does not meet the requirements of the European Patent Convention for the reasons enclosed herewith. If the deficiencies indicated are not rectified the application may be refused pursuant to Article 97(2) EPC.

You are invited to file your observations and insofar as the deficiencies are such as to be rectifiable, to correct the indicated deficiencies within a period

of 4 months

from the notification of this communication, this period being computed in accordance with Rules 126(2) and 131(2) and (4) EPC. One set of amendments to the description, claims and drawings is to be filed within the said period on separate sheets (R. 50(1) EPC).

Failure to comply with this invitation in due time will result in the application being deemed to be withdrawn (Art. 94(4) EPC).



Staber, Brigitte
Primary Examiner
For the Examining Division

Enclosure(s): 1 page(s) reasons (Form 2906)

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The examination is being carried out on the **following application documents**:

Description, Pages

1-20 as originally filed

Claims, Numbers

1-26 as originally filed

Drawings, Sheets

1/2, 2/2 as originally filed

1. An International Preliminary Report on Patentability / International Preliminary Examination Report has already been drawn up for the present application in accordance with the PCT. The deficiencies mentioned in that report give rise to objections under the corresponding provisions of the EPC.

Accordingly the novelty objections over documents D1 and D2 are still maintained (Art. 54(1)(2) EPC).

In addition, earlier documents WO 2004/101018 and WO 2005/011770 will be introduced into the examination procedure as document D3 and D4.

The coatings mentioned in D3 and D4 take away novelty of the present invention in the sense of Art. 54(3) EPC.

The objections with regard to inventive step are still valid.

2. The Applicant is asked to deal with the above-mentioned objections in a satisfactory manner.